IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO.8046 OF 2006 (O&M)

Date of decision : November 30, 2006

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Chotu Ram Kissan Shiksha Samiti Jind .....Petitioner

Vs.

State of Haryana and others .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. S.S Duhan, Advocate for the petitioner(s).
Mr. Ashok Jindal, Additional Advocate General, Haryana for respondents no. 1 to 3.
Mr. Surender Deswal, Advocate for respondent no.4.
Mr. Ramesh Hooda, Advocate for respondents no. 5 to 11.

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Viney Mittal, J. (Oral)

C.M Nos.14742-44 of 2006

In view of the disposal of the main writ petition, applications have been rendered infructuous and are disposed of accordingly.

CWP No.8046 of 2006

The petitioner-Samiti has approached this Court for issuance of directions to respondent no.3-Deputy Commissioner-cum-Administrator, Jind not to act as Administrator of the Jat Senior Secondary School, Jind and also not to interfere in the functioning of the said School. It has been claimed by the petitioner-Samiti that respondnet no.3-Deputy Commissioner-cum-Administrator was never appointed as the Administrator of the School run by the petitioner-Samiti and as such

interference by him in the management of the School is wholly without any justification and jurisdiction.

During the course of the arguments, learned counsel for the parties have agreed that the present writ petition be disposed of with a direction to the Financial Commissioner & Principal Secretary to Govt. of Haryana, Department of Education-respondent no.1 to enquire into the controversy between the parties and take a final decision therein in accordance with law.

In view of the aforesaid agreement of the learned counsel for the parties, we dispose of the present writ petition and request the Financial Commissioner and Principal Secretary-respondent no.1 to enquire into the matter and adjudicate the controversy between the parties and take such further appropriate action as may be required in accordance with law. We also clarify that interim order dated May 23, 2006 restraining the respondents from interfering in the management of the School run by the petitioner-Samiti shall also stand vacated.

We further earnestly hope that appropriate decision in this regard shall be taken by respondent no.1 after affording an opportunity of hearing to the petitioner and respondent no.4-Zile Singh Deswal and applicants in CM No.14743 of 2006 i.e Khayali Ram, Balwan, Randhir, Mehar Singh, Tek Ram, Smt. Sumitra Devi, Sanjay Panwar. All the affected parties are directed to appear before respondent no. 1 in his office on December 18, 2006 at 10:00 A.M. It is further directed that respondent no.1 shall take such decision within a period of 2 months from the date of the appearance of the parties.

A copy of the order be given under the signatures of the Special Secretary attached to the Bench.

(VINEY MITTAL)
JUDGE

November 30, 2006
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(H.S BHALLA)
JUDGE